

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANJENAI BOLDEN, #M31931,)
Plaintiff,)
vs.) Case No. 18-cv-02197-SMY
C/O JOHN DOE 1,)
C/O JOHN DOE 2, and)
DANIEL Q. SULLIVAN,)
Defendants.)

ORDER

YANDLE, District Judge:

Plaintiff recently identified John Doe 1 as **Michael N. Mezo** and John Doe 2 as **Jeffrey L. Stallins**. (Doc. 20). In doing so, Plaintiff has satisfied his obligation to identify all unknown Defendants with particularity. (Docs. 14, 19). Defendant Warden Daniel Q. Sullivan¹ has likewise satisfied his obligation to produce information for the purpose of identifying these individuals with particularity. Accordingly, the Order to Show Cause (Doc. 19) entered August 13, 2019 will be discharged, and Warden Sullivan will be dismissed from this action without prejudice.

IT IS HEREBY ORDERED:

The Show Cause Order (Doc. 19) entered on August 13, 2019 is **DISCHARGED**.

Daniel Q. Sullivan is **DISMISSED** without prejudice from this action. The Clerk of Court is **DIRECTED** to **TERMINATE** Warden Sullivan as a defendant in CM/ECF.

The Clerk of Court is further **DIRECTED** to **SUBSTITUTE** Defendants **MICHAEL N. MEZO** and **JEFFREY L. STALLINS** in place of Defendants John Doe 1 and 2 respectively.

¹ Warden Sullivan was named in his official capacity for the sole purpose of responding to discovery aimed at identifying the unknown correctional officers. (See Doc. 7, pp. 6-7).

With respect to **COUNT 1**, the Clerk is **DIRECTED** to prepare for Defendants **MEZO** and **STALLINS**: (1) Form 5 (Notice of a Lawsuit and Request to Waive Service of a Summons), and (2) Form 6 (Waiver of Service of Summons). The Clerk should mail these forms and a copy of the Complaint (Doc. 1), Merits Review Order (Doc. 7), and this Order to each Defendant's place of employment as identified by Plaintiff. If a Defendant fails to sign and return the Waiver of Service of Summons (Form 6) to the Clerk within 30 days from the date the forms were sent, the Clerk shall take appropriate steps to effect formal service on that Defendant, and the Court will require that Defendant to pay the full costs of formal service, to the extent authorized by the Federal Rules of Civil Procedure.

Defendants are **ORDERED** to timely file an appropriate responsive pleading to the Complaint and shall not waive filing a reply pursuant to 42 U.S.C. § 1997e(g). **Pursuant to Administrative Order No. 244, Defendants need only respond to the issues stated in this Merit Review Order.**

IT IS SO ORDERED.

DATED: 8/22/2019

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge